



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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Willie Milsap,
President

Dave Decker,
Vice President

Dr. Vidya Kora,
Member

PLEASE TURN OFF ALL CELL PHONES

MINUTES

LAPORTE COUNTY COMMISSIONERS

Wednesday August 7, 2013

To be held at 10:00 a.m. in the LaPorte County Complex Meeting Room #3

1. **CALL MEETING TO ORDER**
Commissioner Milsap called the meeting to Order.
2. **PLEDGE OF ALLEGIANCE**
Steve led the Pledge of Allegiance.
3. **ROLL CALL**
All Commissioners present.
4. **APPROVAL OF AGENDA**
Commissioner Kora added the adoption of procedures to implement cell phone ban in the County Courthouses and provide procedures for exceptions. Ratify the Grant agreement regarding the Strong Water Technical Grant was also added by Commissioner Kora. Commissioner Kora moved to approve the Agenda. Commissioner Decker seconds. Motion carried by voice vote.
5. **APPROVAL OF MINUTES**
 - A. **July 17, 2013**
Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.
6. **CLAIMS**
 - A. **Payroll Ending-08/02/2013- \$994,197.19**
 - B. **Miscellaneous Claims-\$922,523.57**
Commissioner Kora moves to accept the claims as presented. Commissioner Decker seconds. Motion carried by voice vote.
7. **DEPARTMENT HEAD COMMENTS**

Robert Young-Highway Department-Appeared before the Commission to inform them that Country Stone has indicated they are interested in taking over the site in need of brush removal and maintenance. He requested permission to come to an agreement regarding potential services to be provided by Country Stone. Commissioner Decker moves to permit Mr. Young to investigate and see what can be done with the site. Commissioner Kora seconds. Motion carried by voice vote.

Deb Ackerman-Juvenile Probation-Appeared before the Commission to request a signature on the fax/scanner/copier lease. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

Jane Bernard-Animal Control-Appeared before the Commission to warn the public of a man in a white van presenting himself as an Animal Control employee trying to take animals. She indicated he is in no way affiliated with Animal Control and that reports of the same have come from Fort Wayne.

Joie Winski-Auditor-Appeared before the Commission to inform them that they have started printing the reconciliation bills for 11 pay 12 and are on track to send them out August 21, 2013.

Earl Cunningham-LaPorte County Council-Appeared before the Commission to congratulate those involved in getting the tax bills out. He further offered his opinion on the past collections and the amount of the General Fund debt.

Sheriff Mollenhauer-Sheriff-Appeared before the Commission to inform the Commissioners that Jim Arnold Jr. was honored in Indianapolis for his actions that saved a train from derailment he got the lifesaving award for the year.

Anne Marie Polan-Plan Commissioner-Appeared before the Commission to give her July report.

Jerry Cooley-Maintenance Superintendent-Appeared before the Commission to request a signature on the estimate to repair the elevator, which would be paid from his elevator budget. He further indicated that after this repair his elevator budget is at zero. He also requested that the Commission sign his Fire Service paperwork. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote. He further submitted a list of priority repairs needed.

Joyce Leon-Human Resources- Presented the Employee of the Month award to Jean Lawson.

8. **CORRESPONDENCE**

Johnson and Pahs Roads Neighborhood Petition Request.

Commissioner Decker indicates that the Commission has received a Petition requesting certain additions and modification to the intersection at Johnson and Pahs Road. Commissioner Decker indicated that most of the requests on the Petition have been met, he said some can be done after procedures are followed, and others will have to wait until we get the Federal money to do the rest of that road.

9. **REQUESTS**

A. **William S. Trowbridge-Michiana Resources-Request authorization for financial assistance.**

William S. Trowbridge appears before the Commission to request funding that is allowed under Indiana Code. Commissioner Kora moves to set a meeting with Mr. Trowbridge and the County Grant Writer Heather McCarthy to see if she can find some grants for him. Commissioner Decker seconds. Motion carried by voice vote.

B. **Mike Schultz-Assessor-Request for travel to Grand Rapids Michigan.**

Commissioner Decker moves to approve request. Commissioner Kora seconds. Motion carried by voice vote.

C. **Mitch Bishop-County Planner-Request for signature on Contract with Engineering Consultant Abonmarche.**

Mitch Bishop appears before the Commission and requests signatures. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

D. **Pat Pease-EMS-Request for signature on St. Anthony Hospital Restocking Agreement.**

Pat Pease appears before the Commission and requests signatures. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

Request for signature on Porter Hospital Restocking Agreement.

Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

E. **Robert Young-County Highway-Request permission to ask the Council to hire one Equipment Operator to replace an employee who will be retiring August 29, 2013.**

Robert Young appears before the Commission and indicates that since his request on the agenda he has learned that another employee is leaving and changes his request to permission to ask for two new employees. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.

F. **Judge Thomas Alevizos-Circuit Court Judge-Request for telephones for Juvenile Services Center.**

Judge Alevizos appears before the Commission and requests funding for telephones for the Juvenile Services Center. Commissioner Kora moves to have maintenance bring a proposal for the \$6000.00 expense so the Commission can take action. Commissioner Decker seconds. Motion carried by voice vote.

G. **John Dudek-E911-Request for signature on Frontier Phone Company Contract.**

Jeff Hamilton appears before the Commission to request signature. Auditor Winski indicates that she still needs to investigate the funding. Commissioner Decker moves to give approval pending the investigation of the funding. Auditor Winski requests time to investigate the fund before money is taken out. Commissioner Kora seconds. Motion carried by voice vote.

H. **Kay Felton-LaPorte County Home-Request to maintain current private pay rate.**

Kay Felton appears before the Commission to request the private pay rate. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.

I. **Joyce Leon-Human Resources-Request for Signature on Baroda Contract.**

Joyce Leon appears before the Commission and requests signatures. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

J. **Third Party claims adjusters request to settle D. Sebasty claim**

Attorney Friedman recommends approval of the settlement. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

10. **OLD BUSINESS**

A. **Mike Yacullo-Read results of bid opening for Juvenile Center roof repair.**

Read Results of bid opening for Parking Lot repairs.

Mike Yacullo appears before the Commission and indicates that Maris and Son Inc. was the low bid at \$40,726.00. Tonn and Blank bid \$48,670.00. Midland Engineering bid \$50,400.00. He requested permission to approach the Council and ask for funding to award the bid to Maris and Son Inc. He further requested to utilize the CCD fund or alternatively use the Riverboat funds. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote. Mr. Yacullo then read the results for the Parking Lot repair indicating that two contractors bid, Reith Riley and Walsh and Kelley. Reith Riley had the low bid at \$133,555.00 Walsh and Kelley bid \$190,800.00. Mr. Yacullo requested permission to approach the Council to request funding and award the bid to Reith Riley. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.

Open sealed bids for Stevens Treatment Center/Small Animal Shelter Addition.

Attorney Friedman opened two sealed bids for the Stevens Treatment Center Addition. Gibson Lewis bid \$443,710.00 for all work shown on drawings. Alternates are included in bid. Larson Danielson bid \$446,946.00 for option one. They bid \$451,081.00 for option two, \$440,743.00 for option three, \$444,877.00 for option four. Commissioner Kora moves to receive the bids and provide them to Mr. Yacullo's office for analysis and recommendation to the board. Commissioner Decker seconds. Motion carried by voice vote.

11. **NEW BUSINESS**

A. **Joyce Leon-Human Resources Director-Policy revisions.**

Joyce Leon appears before the Commission and requests approval of a revision to Retirement 10.0 to bring the policy to compliance with the IC Codes. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

B. **Appointment of Westville-New Durham Township Public Library Board Member.**

Commissioner Kora moves to table item B. Commissioner Decker seconds. Motion carried by voice vote. Commissioner Kora moves to take the issue off the table. Commissioner Decker seconds. Motion carried by voice vote. Commissioner Kora moves to appoint Allison Swanson to serve on the Board. Commissioner Decker seconds. Motion carried by voice vote.

C. **Randy Smith-39 North-Discuss options for GIS for LaPorte County.**

Randy Smith appears before the Commission and indicates that he is involved later in the meeting for item F and requests to appear for that matter. Commissioner Milsap strikes item C and moves to item F.

D. **Consider NIPSCO's 7/26/13 responses to outage related issues/Consider intervention in \$1B NIPSCO infrastructure case to protect ratepayer interests on service and rates.**

Commissioner Kora moves to not file a formal complaint with the IURC regarding those particular outages, he stated he believes that the County should have a role in the upcoming infrastructure upgrades case that NIPSCO has filed with the IURC on both service issues and rate issues, He clarified that he moves to authorize county counsel as intervener in both cause number 44371 and cause number 44370, where NIPSCO has asked for authority to pass along to rate payers the cost of one billion dollars in new infrastructure upgrades, he stated he wants county counsel pressing service related issues as well as working at reducing the impact of these upgrades on ordinary consumers. He also requested that county counsel file a petition with the Non-Profit Indiana Utility Rate Payer Trust for a Grant to help offset the county's costs for participation in these two cases. Commissioner Decker seconds. Motion carried by voice vote.

E. **Commissioner Kora-Introduce Ordinance to establish County School Safety Commission per I.C. 5-2-10.1-10**

Commissioner Kora reads into the record Ordinance 2013-06. Commissioner Kora moves to adopt the Ordinance. Commissioner Decker seconds. Commissioner Kora moves to suspend the rules to have a second and third reading at this meeting. Commissioner Decker seconds. Motion carried by voice vote.

F. **Darlene Hale-John Dudek-Consideration of contracted "fix" with 39 North to marry street data with Interact Software to complete computer-aided emergency dispatch-E-911 Surcharge fund.**

Darlene Hale appears before the Commission and indicates that she is here on behalf of John Dudek who is on vacation. She requests the Commissioners signature on a contract pending approval from Interact that states that what 39 North has proposed will do everything they need to get Interact up and running after waiting for 3 years. John Dudek has indicated that the fee will be paid out of the 911 surcharge fund, and he thinks he will have to approach the Council for an additional appropriation. Ms. Hale indicated the fund number for the 911 surcharge fund is 1222 and that the fund contains \$1,174,621.40 and that all that money is not already appropriated, that Mr. Dudek will have to go to the County Council. Attorney Friedman indicates that they have talked with the Auditor and she has indicated that there are funds available to pay this whether from CCD or some other fund and that she knows how critical it is that this be approved. Auditor Winski again requests that the Commission authorize this request contingent upon the Auditor's investigation of the fund. Commissioner Decker moves to approve contingent upon approval from the Auditor. Commissioner Kora seconds. Motion carried by voice vote. Commissioner Kora clarifies that the motion is contingent upon an okay from Interact that they can interface with 39 Degrees North that they can get the job done and also the funding screen from the Auditor's office. Motion carried by voice vote. Commissioner Decker moves to allow Commissioner Milsap to sign on behalf of all the Commissioner's.

Pat Pease clarifies that the responsibility of 39 North is to make our in-house data match only. The GIS and the M site, when they are done, they will turn it over to Interact and it will be Interacts responsibility to make the whole thing work.

G. **Mike Yacullo-Consider request to County Council for appropriation from Major Bridge Fund of up to \$200,000.00 for architectural/engineering design (H.W. Lochner) for both short term maintenance and long term renovation/reconstruction of the Franklin St. Lift Bridge.**

Mike Yacullo appears before the Commission to request permission to request funds from the County Council to repair the bridge not to exceed \$200,000.00. Commissioner Decker moves to approve. Commissioner Kora seconds. Motion carried by voice vote.

Consider INDOT/LPA Agreement to secure CMAQ funding for Trail Project near Bluhm County Park in Westville.

Mr. Yacullo further requests approval of agreement to secure funds for the Trail Project. Commissioner Kora moves to approve. Commissioner Decker seconds. Motion carried by voice vote.

H. **Jerry Cooley-Maintenance-Consider forwarding request of Maintenance Department for six highest priority repair/maintenance items of mechanical/electrical/plumbing of county buildings to be paid from CCD fund.**

Jerry Cooley appears before the Commission to review the necessary repairs needed in the county buildings. Commissioner Kora moves to forward the request to the Council. Commissioner Decker seconds. Motion carried by voice vote.

I. **Cell Phone Order and Exceptions process.**

Commissioner Kora moves that the Commission recognize the cell phone ban as applying to both the courthouses and the annex, and to adopt the form designed by the Judges to afford exemptions to those with regular work that requires them to be at the courthouse. He also moves for placement of secure bins at all checkpoints to accommodate those who did not have transportation to the courthouse. He indicated that the exemption form is going to be a valuable tool in making this ban work for everyone. He also moved to revisit the issue after three months to see how it's going. Commissioner

Decker seconds and indicates that he felt the Order was implemented hastily without any thought about how it was going to work, he said the exemption form helps and that if the process needs to be adjusted later than can happen. Motion carried by voice vote.

12. **PUBLIC COMMENTS**

Judge Alevizos thanked the Commission for clarifying the cell phone Order. He then suggested they specify the number of 'other appropriate individuals' in the School Ordinance. He said eventually the MCAS school safety representative will have to convene the first meeting. Commissioner Kora asked the Judge to participate in the meeting. The Judge agreed to participate.

13. **COMMISSIONERS COMMENTS**

Commissioner Decker informed the Commission and public about the NACO Convention he attended the week prior to this meeting. He said he went there to see what the deficiencies were in LaPorte County and how any issues could be fixed and he was very surprised to discover that overall we were ahead of most of the counties in the United States, being a little more progressive than other counties. He then showed an article that was written about the county regarding the passing of the responsible bidder's ordinance he made copies available for the public. He went on to discuss a proposed closed rail bypass that he feels would boost the intermodal facility that is going to be built here.

Commissioner Milsap thanked all the LaPorte County residents who attended the boat race in Michigan City. He said it was a great event and it was the 5th time we hosted the event and he stated he is looking forward to the 6th time. He applauded the local business owners who assisted in the event, Matey's and the Clubhouse especially who welcomed the boaters and visitors with open arms as well as Blue Chip Casino.

14. **ADJOURN**

Commissioner Decker moves to adjourn. Commissioner Kora seconds. Motion carried by voice vote.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA
DATE: _____
[Signature]
ATTEST: *[Signature]*
LA PORTE COUNTY, INDIANA Auditor